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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER

OKEKE, IZUNNA

ART UNIT

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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/536,994	BENJELLOUN TOUIMI ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	IZUNNA OKEKE	2432	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 13 May 2009.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 11-21 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 11-21 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)          | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

## **DETAILED ACTION**

### ***Continued Examination Under 37 CFR 1.114***

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 05/13/2009 has been entered.

### ***Response to Arguments***

2. Applicant's arguments with respect to claims 11-21 have been considered but are moot in view of the new ground(s) of rejection.

### ***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 11-20 are rejected under 35 U.S.C. 102(b) as being anticipated by Safadi (US-20030126086).

a. *Referring to claim 11 and 20:*

Regarding claim 11 and similar claim 20, Safadi teaches a system for accessing, at a consultation station, information associated with rights to use said information, the use rights being expressed in a particular rights expression language, the consultation station including use rights recovery means adapted to recognize use rights expressed in one or more different

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languages in order to access said information, which system includes a use rights adaptation unit including means for receiving use rights data associated with the information to be accessed (Para 26, 31 and 41 teaches receiving at a proxy station, contents and DRM scheme information (comprising use rights) associated with the contents. The proxy station recognizing the DRM scheme and determining if the device that requested the content can process the language (XrML etc) or not and converting the DRM scheme to a scheme compatible with the device); and means for analyzing said use rights data to determine said particular rights expression language in which said use rights associated with said information are expressed, the user rights adaptation unit being associated with means for determining the one or more use rights expression languages recognized by said recovery means of said consultation station, and further including means for comparing the said particular rights expression language with the one or more use rights expression languages recognized by said recovery means of said consultation station to determine if said particular right expression language is recognized by said recovery means (Para 26 teaches the proxy station processing the received content and the DRM scheme to determine if the device that requested it can use the DRM scheme recognized by the proxy. If the device can use the scheme, it is forwarded to the device unconverted but if it cant, the proxy converts the expression to a scheme which is recognized by the device and forwards it to the device); and use rights conversion means for converting the use rights associated with said information when expressed in a language that is not recognized by said recovery means of said consultation station from said particular language in which the use rights associated with the information are expressed to another language selected from the one or more languages recognized by said recovery means of the consultation station (Para 21, 23, 38-39 teaches the proxy converting the

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DRM scheme if it is expressed in a language which the proxy determines is unrecognizable to the device to a native scheme which the proxy determine is recognizable by the device).

a. Referring to claim 12:

Regarding claim 12, Safadi teaches a system according to claim 11, wherein the use rights adaptation unit includes said means for determining the one or more rights expression languages recognized by said recovery means of said consultation station and wherein said means for determining the one or more use rights expression languages recognized by said recovery means comprises means for remotely interrogating the recovery means (Para 28 teaches processing the DRM data to determine the DRM scheme in order to convert the scheme to a native scheme that will be recognizable by a device).

a. Referring to claim 13:

Regarding claim 13, Safadi teaches a system according to claim 11, wherein said means for determining the one or more rights expression languages recognized by said recovery means of said consultation station include means for declaring to said adaptation unit the one or more languages recognized by said recovery means (Para 23 and 28.... determining the DRM scheme recognized by the device and converting the DRM scheme to the native DRM scheme).

a. Referring to claim 14:

Regarding claim 14, Safadi teaches a system according to claim 11, wherein said information and said associated use rights are stored in the same information server connected to said consultation station and to said adaptation unit via an information transfer network (Para 26-27.... Contents and DRM scheme stored on a content server and delivered to proxy via an information transfer network).

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a. Referring to claim 15:

Regarding claim 15, Safadi teaches a system according to claim 11, wherein said information is stored on an information server and said use rights associated with the information are stored on a rights management server, said information server, said rights management server, said consultation station and said adaptation unit being interconnected via an information transfer network, and said information including information as to the location of said rights management server to enable said consultation station to interrogate said rights management server in order to receive the rights associated with said information (See Fig 1, content server with DRM 52 for storing contents with DRM scheme, DRM proxy device and processor for recognizing DRM scheme and for conversion all interconnected via a transfer network).

a. Referring to claim 16:

Regarding claim 16, Safadi teaches a system according to claim 14, including a plurality of consultation stations connected to said information server through said information transfer network via a plurality of network nodes and a plurality of adaptation units integrated into each of the nodes connected directly to said consultation station (Para 37).

a. Referring to claim 17:

Regarding claim 17, Safadi teaches a system according to claim 11, wherein said consultation station is connected to said adaptation unit via a mobile telecommunication network and an information transfer network and said networks are connected by a gateway including information conversion means adapted to convert the information between said mobile telecommunication network and said information transfer network (See the rejection in claim 11,

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Fig 1 and Para 27 and 30 teaches a network wherein mobile consumer device can operate to receive contents and DRM scheme).

a. Referring to claim 18:

Regarding claim 18, Safadi teaches a system according to claim 11, wherein said consultation station is mobile and said recovery means are adapted to recognize the DRMREL rights expression language (See the rejection in claim 11 and 17).

a. Referring to claim 21:

Regarding claim 21, Safadi teaches a consultation station adapted to consult information associated with rights to use said information, the use rights being expressed in a particular language, including use rights recovery means adapted to recognize use rights expressed in one or more different languages in order to access said information, which consultation station includes means for declaring a list of one or more use rights expression languages recognized by said recovery means with a priority order, to a use rights adaptation unit in order to receive from the said rights adaptation unit converted use rights associated with said information, the conversion being done according to one of the rights expression language of the transmitted list and according to the priority order (See the rejection in claim 11 and Para 38 teaches the proxy station determining that the device recognizes multiple DRM schemes and either does the conversion based on a specified language or does no conversion if the current scheme is among the list of schemes recognized by the device).

***Claim Rejections - 35 USC § 103***

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

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(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claim 19 is rejected under 35 U.S.C. 103(a) as being unpatentable over Safadi (US-20030126086), and further in view of Bormans et al. (NPL, [http://www.chiariglione.org/mpeg/standards/mpeg-21/mpeg-21.htm#\\_Toc23297977](http://www.chiariglione.org/mpeg/standards/mpeg-21/mpeg-21.htm#_Toc23297977))

a. Referring to claim 19:

Regarding claim 19, Ta teaches a system according to claim 11 which uses DRM architecture.

Ta does not teach the DRM language as MPEG-21 rights expression language.

However, Bormans teaches MPEG-21 rights expression language (See Bormans, Section 5.5 teaches MPEG-21 rights expression language).

Therefore, it would have been obvious to one of ordinary skill at the time the invention was made to include the MPEG-21 Rights Expression language as disclosed by Bormans in the list of RELs implemented by Ta for the purpose of expanding the capability of the DRM system to support video contents by using the MPEG-21 REL to define usage rights for media contents such as video.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to IZUNNA OKEKE whose telephone number is (571)270-3854. The examiner can normally be reached on 9:00am - 5:00pm.



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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gilberto Barron can be reached on (571) 272-3799. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/I. O./

Examiner, Art Unit 2432

/Jung Kim/

Primary Examiner, AU 2432